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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:

Mathias SCHAFFORZ

Appl. No. 09/944,217

Filed: September 4, 2001

For: METHOD OF AND APPARATUS
FOR DIVIDING A WEB OF WRAPPING
MATERIAL

Art Unit: 3724

Confirmation No. 2647

Examiner: Stephen CHOI

Atty. Docket No. 31653-174372

Customer No.

26694

PATENT TRADEMARK OFFICE

REQUEST FOR REINSTATEMENT OF THE APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Filed concurrently herewith is a one-month extension of time so that the response date to the Office Action mailed October 20, 2004 is extended to February 22, 2005 (February 20, 2005 being a Sunday and February 21, 2005 being a Federal Holiday). This paper is to expressly request reinstatement of the appeal, and treatment of the accompanying SUPPLEMENTAL BRIEF as the brief for purposes of the Examiner's Answer.

On April 23, 2004, the Appellant filed an APPEAL BRIEF (in triplicate) with the requisite Brief on Appeal Fee of \$330.00. For the record, Appellant believes that it is appropriate to set forth the following chronology.

EXPLANATION OF CHRONOLOGY

Applicant initially filed a NOTICE OF APPEAL with fee on February 23, 2004 with the necessary Notice of Appeal fee of \$330.00. As stated above, the BRIEF was filed on April 23, 2004 with requisite fee.

The Examiner withdrew the finality of the Action to modify the rejection of the claims as being unpatentable over U.S. Patent No. 4,627,319 to Mattei and to add a combination rejection of Mattei and U.S. Patent No. 4,960,234 to Focke. The accompanying supplemental brief responds to the non-final Office Action that was mailed on October 20, 2005.

In Applicant's view no fee is required. However, should an additional fee be required than the amounts paid to the U.S. PTO earlier, the U.S. PTO is authorized to charge Deposit Account 22-0261, for purposes of maintaining the pending status of this application.

Respectfully submitted,

Date: February 22, 2005



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